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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11	11	Case No. 4:23-cv-03138-DMR
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11	MK,)	Case No. 4:23-cv-03138-DMR
12	Plaintiff,)	
13	v.)	STIPULATION AND ORDER (AS MODIFIED)
14	ALEJANDRO MAYORKAS, et al.,)	RE BRIEFING SCHEDULE AND HEARING
15	Defendants.)	FOR DEFENDANT'S MOTION FOR
16)	SUMMARY JUDGMENT
17)	

Pursuant to the Court's Immigration Mandamus Case Procedural Order, as modified (Dkts. No. 4, 16), Defendants filed a motion for summary judgment on November 17, 2023. Dkt. No. 17. On November 27, 2023, the Court issued a briefing schedule (Dkt. No. 19), and on December 11, issued the following amended briefing schedule pursuant to the parties' stipulation: Plaintiff's response is due by 1/2/2024, Defendant's reply is due by 1/23/2024, and a motion hearing is set for 2/8/2024. Dkt. No. 21.

The parties now wish to modify that schedule, at the request of Plaintiff's counsel to accommodate upcoming briefing and trial schedules all within the next week, as well as to adequately respond to Defendants' motion, which is expected to take more time than was initially anticipated.

Accordingly, subject to the Court's approval, the parties stipulate as follows:

1. Plaintiff's Opposition to Defendants' Summary Judgment motion to be filed by January 17, 2024;

2. Defendants' Reply to be filed by February 7, 2024;

3. Hearing shall be continued to February 22, 2024 at 1:00 p.m.

The parties previously stipulated to extend Defendants' time to file their motion for summary judgment. Dkt. No. 15, and stipulated to modify the briefing schedule to reflect that extended filing date, Dkt. No. 18, and then stipulated to further modify that briefing schedule, Dkt. No. 21. There have been no other time modifications in this case, whether by stipulation or Court order. The requested modification should have no impact on the schedule for the case except as outlined above.

In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests that each signatory has concurred in the filing of this document.

Respectfully submitted,

DATED: December 21, 2023

LAW OFFICE OF PAUL O'DWYER, P.C.

/s/ Paul O'Dwyer
PAUL O'DWYER
Attorneys for Plaintiff

DATED: December 21, 2023

ISMAIL J. RAMSEY
United States Attorney

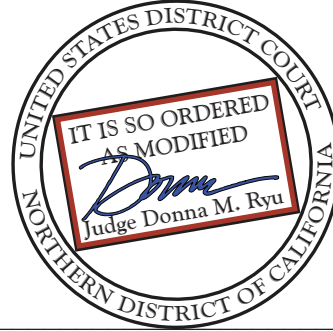
s/ Chandani Latev
CHANDANI LATEY
Special Assistant U.S. Attorney
Attorneys for Defendants

ORDER (AS MODIFIED)

Pursuant to stipulation, IT IS SO ORDERED. Plaintiff's Opposition to Defendants' Summary Judgment motion shall be filed by January 17, 2024. Defendants' Reply shall be filed by February 7, 2024. The hearing is continued to February 21, 2024 at 10:00 a.m. in Oakland, - Videoconference Only before Chief Magistrate Judge Donna M. Ryu. All counsel and parties may access the webinar information (public hearings) at <https://cand.uscourts.gov/judges/ryu-donna-m-dmr/>.

IT IS SO ORDERED AS MODIFIED.

Dated: December 26, 2023



HON. DONNA M. RYU
United States Chief Magistrate Judge